

relevant to gun purchases between the States and the Federal Government. Deficiencies in the current NICS system, including a significant lack of funding, permitted the perpetrator of this terrible crime to obtain firearms and ammunition despite having a mental health history that made him ineligible to buy or possess a firearm under Federal law. He was able to pass a background check and purchase the weapons he used in his attacks because data was missing from the NICS system.

In response to this devastating tragedy, the Judiciary Committee worked hard to produce a comprehensive legislative proposal related to issues of school safety, and in August unanimously reported the School Safety and Law Enforcement Improvement Act of 2007, SSLEIA, to the full Senate. As part of this legislative package, we drafted title II of SSLEIA to include an amended version of the NICS Amendment Improvement Act of 2007, H.R. 2640, that passed the House in July. Today, the Senate passed a revision of title II from SSLEIA, as the Leahy-Schumer amendment to H.R. 2640, which closes the gaps in the NICS system that allowed the purchase of the firearms that were used in the Virginia Tech killings. I hope the House of Representatives will take up and pass H.R. 2640, as amended, as soon as possible.

The Leahy-Schumer amendment largely mirrors the language of H.R. 2640 as passed by the House. But it also makes modest but important changes to that bill in order to ensure this new law works effectively and fairly for all Americans. It creates a legal regime where the reporting of disqualifying mental health records, both at the State and Federal levels, will be improved. This bill will also require Federal agencies to report mental health and other disqualifying records into NICS and would create significant new incentives for States to report this same information. These basic features of the amendment are the same as in the House bill. Additionally, the bill contains provisions directing Federal agencies to establish relief from disabilities programs through which individuals who have overcome a disqualifying mental illness or disability may reclaim their rights, and urges the States to do the same.

As I reviewed this issue, however, I determined that additional changes were necessary both to improve the NICS system further and to better enable States like Vermont to implement these improvements. By tempering the penalties for insufficient participation by the States in meeting the bill's goals, and increasing incentives for full participation, I am hopeful that the bill will strengthen the partnership between Federal and State authorities in search of a common goal. The NICS system is only as good as the information that is reported into it, and to achieve success in improving NICS, we must recognize and adequately support

the States in this challenging undertaking.

I want to thank Paco Aumond, director of Criminal Justice Services at the Vermont Department of Public Safety, for working with me to identify those changes in the legislation to ensure that Vermont and the many similarly situated States will be more easily able to make the comprehensive improvements necessary for a more effective NICS system.

Nothing can bring back the lives tragically lost at Virginia Tech, and no legislation can be a panacea, but the bill we pass today will begin to repair and restore our faith in the NICS system and may help prevent similar tragedies in the future.

Mr. SCHUMER. I ask unanimous consent a Leahy-Schumer substitute amendment at the desk be agreed to, the bill as amended be read a third time and passed, the motions to reconsider be laid upon the table with no intervening action or debate, and that any statements related to the bill be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The substitute amendment (No. 3887) was agreed to.

(The text of the amendment is printed in today's RECORD under "Text of Amendments.")

The bill (H.R. 2640), as amended, was read the third time and passed.

The amendment was ordered to be engrossed and the bill to be read a third time.

BLOCK BURMESE JADE (JUNTA'S ANTI-DEMOCRATIC EFFORTS) ACT OF 2007

Mr. SCHUMER. Madam President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of H.R. 3890, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 3890) to amend the Burmese Freedom and Democracy Act of 2003 to impose import sanctions on Burmese gemstones, expand the number of individuals against whom the visa ban is applicable, expand the blocking of assets and other prohibited activities, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. SCHUMER. Madam President, I ask unanimous consent the Biden-McConnell amendment at the desk be agreed to, the bill as amended be read a third time and passed, the amendment to the title be agreed to, the motion to reconsider be laid on the table, and any statements be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 3888) was agreed to.

(The text of the amendment is printed in today's RECORD under "Text of Amendments.")

The title amendment (No. 3889) was agreed to, as follows:

The title is amended to read as follows:

"An Act to impose sanctions on officials of the State Peace and Development Council in Burma, to amend the Burmese Freedom and Democracy Act of 2003 to prohibit the importation of gemstones and hardwoods from Burma, to promote a coordinated international effort to restore civilian democratic rule to Burma, and for other purposes."

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill (H.R. 3890), as amended, was read the third time and passed.

Mr. SCHUMER. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, I ask unanimous consent that following my time on the floor, the Senator from Pennsylvania, Mr. CASEY, be the next Democratic speaker in line.

The PRESIDING OFFICER. Without objection, it is so ordered.

THANKING SENATOR BYRD

Mr. MENENDEZ. Madam President, I came to the floor for a specific purpose, but I had the good benefit of listening to the distinguished senior Senator from West Virginia's holiday greeting. It was a very warm, loving greeting as well. I am glad I made it to the floor to listen. I thank him for his incredible service in this institution and for taking those moments to talk about our humanity collectively. This is a great time of the year in which that humanity gets to be recognized.

Mr. BYRD. Madam President, I thank the incredible Senator who now holds the floor and speaks with such aplomb and dignity, befitting a Roman Senator.

IRAQ

Mr. MENENDEZ. Madam President, as we celebrate this holiday season with our families, as we gather with those we love and give thanks for our tremendous blessings, we remember how incalculable the losses have been to the families of the 3,888 soldiers who have been killed in Iraq. Their losses cannot be tallied, not in the number of Christmas nights spent without the one they loved; not in the number of days since their wives, husbands, parents, and children left home forever. We cannot calculate the strain on the 28,661 wounded soldiers and their families, many of whom will be spending this precious time of the year in a military hospital, coping with their blindness, living with only one leg or arm, sleeping through nightmares of the battlefield instead of the beautiful dreams they used to know this time of year.

As we hold them in our hearts—as well as all of the men and women in